

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *AS* D.C.

2005 JUL 27 PM 4:20

UNITED STATES OF AMERICA )  
 )  
vs. )  
 )  
STEVEN MARCEL BIRCH, ET. AL. )

CR. No. 04-20256-JPM

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

APPLICATION, ORDER and WRIT FOR HABEAS CORPUS AD TESTIFICANDUM

CARROLL L. ANDRE, III, Assistant United States Attorney, applies to the Court for a Writ to have ARIC BADY, SR., R&I # 223557, Booking # 05109221, DOB 3-14-72, SSN# 414-23-9844, now being detained in the Shelby County Jail, in Memphis, Tennessee, appear as a witness before the Honorable Jon Phipps McCalla on Thursday, August 25, 2005 at 3:00 p.m. at the sentencing hearing of co-defendant Steven Marcel Birch and for such other appearances as this Court may direct.

Respectfully submitted this 27<sup>th</sup> day of July, 2005.

*Carroll L. Andre*  
CARROLL L. ANDRE, III  
ASSISTANT UNITED STATES ATTORNEY

Upon consideration of the foregoing Application, DAVID G. JOLLEY, U.S. MARSHAL, WESTERN DISTRICT OF TENNESSEE, MEMPHIS, TN SHERIFF/WARDEN, Shelby County Jail in Memphis, Tennessee.

YOU ARE HEREBY COMMANDED to have ARIC BADY, SR., appear before the Honorable Jon Phipps McCalla as a witness at the date and time aforementioned.

ENTERED this 27<sup>th</sup> day of July, 2005.

*Diane K. Vesco*  
HONORABLE DIANE VESCOVO  
UNITED STATES MAGISTRATE JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 167 in case 2:04-CR-20256 was distributed by fax, mail, or direct printing on July 28, 2005 to the parties listed.

---

Carroll L. Andre  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Leslie I. Ballin  
BALLIN BALLIN & FISHMAN  
200 Jefferson Ave.  
Ste. 1250  
Memphis, TN 38103

Honorable Jon McCalla  
US DISTRICT COURT